

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DIONELL PAYNE,)
)
)
Plaintiff,)
)
)
v.) No. 15 C 5970
)
)
UNITED STATES MARSHALS SERVICE) Judge Kocoras
and GENERAL SERVICES)
ADMINISTRATION,)
)
)
Defendants.)

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants United States Marshals Service and General Services Administration, by their attorney, John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, move for summary judgment because defendants have voluntarily undertaken renovations to facilities and implemented a new protocol to transport prisoners within the federal courthouse, rendering this lawsuit moot. In addition, plaintiff Dionell Payne failed to exhaust the statutory administrative process required before a Rehabilitation Act suit against federal agencies. Finally, summary judgment should be granted because section 504 of the Rehabilitation Act either does not apply to the areas of the Dirksen Federal Building identified in the complaint or those areas are being brought into voluntary compliance.

WHEREFORE, defendants ask that the court to enter summary judgment for defendants and terminate the case.

Respectfully submitted,

JOHN R. LAUSCH, Jr.
United States Attorney

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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF), the following document:

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

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